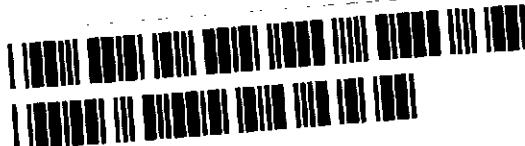


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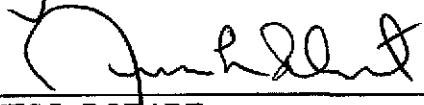
12 Petitioner,
13 v.
14 A. NEIL CLARK,
15 Respondent.

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ORDER OF DISMISSAL

The Court, having reviewed petitioner's Petition for Writ of Habeas Corpus, petitioner's motion for expedited removal, respondent's motion to dismiss, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, any objections or responses to that, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's Petition for Writ of Habeas Corpus, Dkt. 5, and motion for expedited removal, Dkt. 10, are DENIED; and respondent's motion to dismiss, Dkt. 11, is GRANTED; and
- (3) The Clerk is directed to send copies of this Order to the parties and to Judge Tsuchida.

DATED this 9th day of January, 2009.


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JAMES L. ROBART
United States District Judge

ORDER OF DISMISSAL